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**ATTORNEYS FOR DEFENDANTS JINGIT  
LLC, JINGIT HOLDINGS, LLC, JINGIT  
FINANCIAL SERVICES, LLC, TODD ROOKE,  
JOE ROGNESS, SAM ASHKAR, PHIL HAZEL,  
HOLLY OLIVER, SHANNON DAVIS, JUSTIN  
JAMES, CHRIS OHLSEN, DAN FRAWLEY,  
DAVE MOOREHOUSE, II, TONY ABENA,  
CHRIS KARLS, JOHN E. FLEMING, AND  
MUSIC.ME, LLC**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

Indiezone, Inc., a Delaware corporation, and EoBuy,  
Limited an Irish private limited company,

Plaintiffs,

vs.

Todd Rooke, Joe Rogness, Phil Hazel, Sam Ashkar,  
Holly Oliver and U.S. Bank, collectively the ***RICO***  
***Defendants***;

Jingit LLC, Jingit Holdings, LLC, Jingit Financial  
Services LLC., Music.Me, LLC., Tony Abena, John E.  
Fleming, Dan Frawley, Dave Moorehouse II, Chris

Case No: CV 13-04280 YGR/EDL

**DEFENDANTS' RESPONSE TO  
PLAINTIFFS' MOTION PURSUANT  
TO CIVIL L.R. 6-1 FOR AN  
ENLARGEMENT OF TIME**

Ohlsen, Justin James, Shannon Davis, Chris Karls in their capacities as officers, agents and/or employees of Jingit LLC, ***Defendants in Negligence, and Aiding/Abetting***;

Wal-Mart, General Electric, Target, DOE(s) and ROE(s) 1 through 10, ***Defendants in Negligence Secondary-Vicarious Infringement***,

Defendants.

In response to Plaintiffs' Motion Pursuant to Civil L.R. 6-1 For An Enlargement Of Time to Respond to Defendants' Motion to Compel Arbitration, Motion to Dismiss and Motion to Stay All Remaining Proceedings (ECF 44), Defendants Todd Rooke, Joe Rogness, Jingit, LLC, Jingit Holdings, LLC, Jingit Financial Services, LLC, Sam Ashkar, Phil Hazel, Holly Oliver, Shannon Davis, Justin James, Chris Ohlsen, Dan Frawley, Dave Moorehouse II, Tony Abena, Chris Karls, John E. Fleming, and Music.Me, LLC (collectively "Defendants"), pursuant to Civil L.R. 6-3(b), request this Court allow Defendants until February 26, 2014 to file their Reply.

Miguel R. San Jose, associate of Douglas Dollinger, counsel for Plaintiffs, contacted Keiko Sugisaka, counsel for Defendants, on January 23, 2014, and requested an extension of time to respond to Defendants' Motions to Compel Arbitration, Dismiss, and Stay All Remaining Proceedings (ECF 29). (Declaration of Keiko L. Sugisaka ("Sugisaka Decl.") ¶ 3.) Ms. Sugisaka and Mr. San Jose reached an agreement allowing Plaintiffs until February 14, 2014 to file their Response in exchange for allowing Defendants until February 26, 2014 to file their Reply. (*Id.*) In lieu of filing a stipulation stating the parties' agreement, Plaintiffs filed their Unopposed Motion Pursuant to Civil L.R. 6-1 For An Enlargement Of Time.<sup>1</sup> (ECF 44.) Defendants' non-opposition to Plaintiffs' Motion for an Enlargement of Time was conditional on Plaintiffs' agreement that Defendants would have until February 26, 2014 to file their Reply. (Sugisaka Decl. ¶ 5.) While Plaintiffs' *Motion* for an Enlargement of Time asked this Court to allow Defendants until February 26, 2014 to file their Reply, Plaintiffs' Declaration in Support and Proposed Order were silent as to Defendants' Reply

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<sup>1</sup> The inclusion of Defendants' names and names of their counsel in the heading of Plaintiffs' Motion was in error. (ECF 44, p. 1.) Defendants did not join in the filing of Plaintiffs' Motion. (Sugisaka Decl. ¶ 4.)

1 deadline. (ECF 44, p. 3.)

2 Defendants simply wish to confirm this Court is aware of the parties' agreement and request  
3 it allow Defendants until **February 26, 2014** to file their Reply. Like Plaintiffs, Defendants also  
4 agree and recognize the March 4, 2014 hearing date may be moved for the convenience of the Court  
5 due to the extended briefing schedule.  
6  
7

8 Dated: January 28, 2014

**MASLON EDELMAN BORMAN & BRAND, LLP**

9  
10 By: s/Joseph P. Ceronsky  
Joseph P. Ceronsky, MN Bar No. 391059  
11 (admitted *Pro hac vice*)

12 **ATTORNEYS FOR DEFENDANTS JINGIT LLC,**  
13 **JINGIT HOLDINGS, LLC, JINGIT FINANCIAL**  
14 **SERVICES, LLC, MUSIC.ME, LLC, TODD**  
15 **ROOKE, JOE ROGNESS, SAM ASHKAR, PHIL**  
16 **HAZEL, HOLLY OLIVER, SHANNON DAVIS,**  
**JUSTIN JAMES, CHRIS OHLSEN, DAN**  
**FRAWLEY, DAVE MOOREHOUSE II, TONY**  
**ABENA, CHRIS KARLS AND JOHN E.**  
**FLEMING**

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